

**Remarks/Arguments:**

**Amendments**

In the Office action, the Office referred to the paragraph number of the published application, rather than to the page and line number of the application. In this response, reference will also be made to the paragraph number of the published application.

The specification has been amended to correct typographical errors.

Claim 1 has been amended to incorporate the limitations of claims 4 and 5 as well as a limitation found in claim 2 and claim 3 and to recite that the intermetallic compound particles are AlFe intermetallic compound particles. Support for the amendment to claim 1 is found in original claims 2-5 as well as ¶¶ [0027] and [0032]. Claims 2 and 3 have been amended to remove redundant limitations. Claims 4-15 have been canceled.

Support for new claim 16 is found in ¶ [0066]. Support for new claim 17 is found in ¶¶ [0078] and [0081]. Support for new claim 18 is found in original claim 11 and in ¶ [0094]. Support for new claim 19 is found in ¶ [0050]. Support for new claim 20 is found in Figure 1, in original claim 11, and in ¶¶ [0033] and [0096]. Support for new claim 21 is found in ¶ [0078].

It is submitted that no new matter is introduced by these amendments and new claims.

**Rejection under 35 USC 112, first paragraph**

Claims 2-5, 8-9, 10 (as dependent on claims 8-9, 13, and 14), 11 (as dependent on claims 2 and 3), and 12-15 were rejected under 35 USC 112, first paragraph, because it was alleged that the specification did not provide enablement for any intermetallic compound. Claim 1, the only independent claim in the application, has been amended to recite "AlFe intermetallic compound particles". It is submitted that this rejection has been overcome.

**Rejection under 35 USC 112, second paragraph**

Claims 1-15 were rejected 35 USC 112, second paragraph, as indefinite. It was asserted it was not clear what the actual crystal particles were. "Crystal particle" refers to the

crystal particle of the base material of the aluminum matrix or the crystal particles of aluminum that make up the aluminum matrix of the aluminum alloy plate.

Further, it was asserted that the claims did not recite a "material surface layer" and it was not clear if the dispersion layer and the material layer were the same layer.

The dispersion layer and the material layer are not the same layer. "Material surface layer" refers to the surface layer of aluminum crystal particles in the aluminum plate. "Dispersion layer" refers to a layer that comprises the metastable phase of AlFe intermetallic compound particles dispersed in at least the surface layer. Specification, ¶ [0027]; see also ¶ [0078].

Claims 1-15 were rejected as indefinite for omitting essential limitations of the invention. In particular, it was asserted that the intermetallic particles and the dispersion/material layer were essential elements of the invention.

Claim 1, the only independent claim in the application has been amended to recite "AlFe intermetallic compound particles."

With respect to the dispersion layer, this assertion is respectively traversed. As recited in original claim 2 and in amended claim 1, the intermetallic compound particles are dispersed in the metal structure of the aluminum plate. See also [0081] (dispersion layer can exceed 50  $\mu\text{m}$ ).

### **Rejections under 35 USC 102**

Claims 1, 4, 6, 7, 10(6), 10(7), 11(1), and 11(4) were rejected under 35 USC 102(b) as anticipated by Suzuki, EP 0 942 071 A1 ("Suzuki").

Claims 4, 6, 7, 10, and 11 have been canceled. Claim 1 has been amended to incorporate the limitations of claim 4 and claim 5 as well as a limitation found in claim 2 and claim 3 and to recite that the intermetallic compound particles are AlFe intermetallic compound particles.

Claim 1, as amended, recites that the composition of said AlFe intermetallic compound particles having a particle size of 0.1  $\mu\text{m}$  or above, the value of C/B is 0.35 or above when C is a number of AlFe metastable phase intermetallic compound particles having a ratio of Fe/Al of 0.6 or less, and B is a total number of AlFe intermetallic compound particles. When the value of C/B is 0.35 or above, a good balance of both reactions at the anode and reactions at the cathode is obtained so it is possible to obtain aluminum alloy plate that is resistant to streaking when electrolytic etching is carried out. ¶ See, *a/so* [0087]. Streaking when electrolytic etching is carried out causes non-uniform performance of the resulting printing plate. Specification, ¶ [0014]. This problem is neither recognized nor discussed by Suzuki.

The value of C/B is 0.35 or above limitation is neither disclosed nor suggested by Suzuki. Suzuki discloses nothing about AlFe metastable phase intermetallic compound particles, the particle size of such particles, the ratio of Fe/Al in such particles, or the effect particles that have these properties have on streaking during electrolytic etching. Suzuki merely suggests that AlFe and AlFeSi based intermetallic compounds can impart strength to the substrate. Suzuki, ¶ [0029]. Neither the presence of metastable phase AlFe intermetallic compound particles, nor their size or composition, are disclosed or suggested by this paragraph.

Because this limitation is missing from the disclosure of Suzuki, it is submitted that the rejection of claim 1 as anticipated by Suzuki has been overcome. All the claims remaining in the application depend, either directly or indirectly, on amended claim 1. It is submitted that all the remaining claims are allowable as claims dependent on an allowable claim.

### **Extension of Time**

An authorization for a two-month Extension of Time accompanies this response. Pursuant to 37 CFR § 1.136(a)(3), the Commissioner is respectfully requested to consider this authorization as a constructive petition for an extension of time.

### **Conclusion**

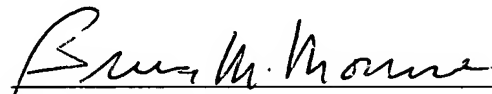
It is respectfully submitted that the claim is in condition for immediate allowance and a notice to this effect is earnestly solicited. The Examiner is invited to phone applicant's attorney

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if it is believed that a telephonic or personal interview would expedite prosecution of the application.

Respectfully submitted,



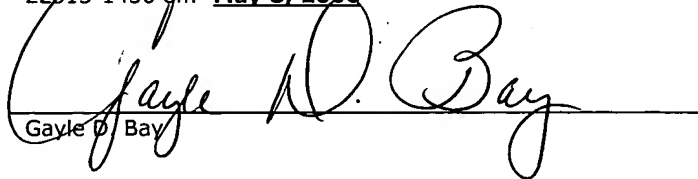
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The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. **18-0350** of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22213-1450 on: **May 8, 2006**

  
Gayle D. Bay

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